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July 15, 2013

Via ECF Filing and email

Ms. Mary Ann Betts  
United States Probation Officer  
147 Pierrepont Street  
Brooklyn, New York 11201

Re: United States v. Thagi, et al.  
S1 11 Cr. 486 (DLI)

Dear Ms. Betts:

I represent Lester Zaborski in the above-referenced matter and write regarding the Pre-sentencing Report ("PSR"). The defendant has no objections to the PSR. However, there is one clarification which we would like to make regarding PSR ¶107. While we understand the PSR to note a Michigan driver's license in Mr. Zaborski's name, that license apparently was obtained by someone else using Mr. Zaborski's personal information without Mr. Zaborski's knowledge. Mr. Zaborski himself has never had a Michigan driver's license and, in fact, has never been to the State of Michigan.

In addition we have reviewed the PSR's Sentence Recommendation and PSR ¶143, which sets forth certain mitigating factors which may warrant a below-Guidelines sentence. At sentencing we intend to seek a below-Guidelines sentence based on these and other § 3553(a) factors, including Mr. Zaborski's minor role in the offense, the very difficult circumstances of his childhood and young adult life, his own substance abuse, and the positive and successful rehabilitative efforts he has made since his arrest in this case and his subsequent release on bail. Since his release, he has participated successfully in substance treatment and counseling, and, with the permission of the Court and Pre-trial Services, he is now employed and successfully re-integrating himself into his family and the larger community. It also is important in this regard to note that his successful rehabilitation has been achieved with tremendous support from his family.

Ms. Mary Ann Betts

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We will address these considerations in greater in our sentencing submission.

Very truly yours,



John F. Kaley

cc: Hon. Dora L. Irizarry  
United States District Judge  
(via ECF filing and regular mail)

AUSA Steven Tiscione  
(via ECF filing and email)